



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q65248

Toshihiko KAKU

Appln. No.: 09/897,603

Group Art Unit: 2625

Confirmation No.: 9625

Examiner: Aaron W. Carter

Filed: July 03, 2001

For: IMAGE COLLECTING SYSTEM AND METHOD THEREOF

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

**ATTN: MAIL STOP ISSUE FEE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**REMARKS**

Applicant offers the following comments in response to the Examiner's Statement of Reasons for Allowance set forth on page 2 of the Notice of Allowability dated November 21, 2005.

In the reasons for allowance the Examiner quotes a portion of claim 1 for a group of claims including claims 1, 23, 53 and 55. Similarly the Examiner quotes a portion of claim 12 in the reasons for allowance for a group of claims including claims 12, 35, 50, 54 and 56. However, the language in some of the other independent claims of the respective groups is not identical to the Examiner's quoted language.

Applicant respectfully submits that in the filing of November 3, 2005, Applicant argued for the patentability of each group based on similar language recited within the claims of the respective groups. However, the language is not identical, just similar. Accordingly, the scope of coverage is not identical.

Accordingly, Applicants respectfully submit that each claim is patentable based on its own language and not based on any paraphrasing or addition of language that may have been made by the Examiner.

Patent Office personnel are requested to note that the present submission does not adversely affect the patent term adjustment accrued by the Applicant to date. As emphasized in the "Clarification of 37 C.F.R. §1.704(c)(10) – Reduction of Patent Term Adjustment for Certain Types of Papers Filed After a Notice of Allowance Has Been Mailed," 1247OG111 (6/26/01), "a response to the examiner's reasons for allowance" is an example of a paper that does "not cause substantial interference and delay in the patent issue process" and is "not considered a 'failure to engage in reasonable efforts' to conclude processing or examination of the application." Therefore, the Applicant remains entitled to the full patent term adjustment set forth on page 3 of the Notice of Allowance dated November 21, 2005.

Respectfully submitted,

  
\_\_\_\_\_  
Bhaskar Kakarla  
Registration No. 54,627

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE  
23373  
CUSTOMER NUMBER

Date: February 17, 2006